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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/677,619	10/02/2003	Craig Ogg	61135/P019US/10303184	8929
29053	7590	05/14/2007	EXAMINER	
FULBRIGHT & JAWORSKI L.L.P			JOSEPH, TONYA S	
2200 ROSS AVENUE			ART UNIT	PAPER NUMBER
SUITE 2800				
DALLAS, TX 75201-2784			3628	
MAIL DATE		DELIVERY MODE		
05/14/2007		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/677,619	OGG, CRAIG	
	Examiner Tonya Joseph	Art Unit 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-21 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_ is/are allowed.  
 6) Claim(s) 1-21 is/are rejected.  
 7) Claim(s) \_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 02 October 2003 is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
     1. Certified copies of the priority documents have been received.  
     2. Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
     3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | Paper No(s)/Mail Date. ____ .                                     |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>01/20/2004</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application |
|   | 6) <input type="checkbox"/> Other: ____ .                         |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

1. Claims 7, 10 and 20 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
2. The term "high-speed" in claims 7 and 20 is a relative term which renders the claim indefinite. The term "high-speed" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. For Examination purposes, Examiner is interpreting any printer as being high-speed.
3. Claim 10 recites the limitation "additional information" in line 10. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 11-12, 15-16 and 18-19 is rejected under 35 U.S.C. 102(b) as being anticipated by Ryan, Jr. U.S. Patent No. 6,173,274 B1.
5. As per Claim 11, Ryan teaches receiving processing instructions that identify how each mail piece should be processed (see Col. 4 lines 17-28); controlling the components of the high-speed processing system to comply with the processing instructions (Col. 4 lines 13-28); calculating a postage value for each mail piece (see Col. 7 lines 12-14); and printing the calculated postage value on each mail piece (see Col. 7 lines 1-4).

Art Unit: 3628

6. As per Claim 12, Ryan teaches the method of claim 11 as described above.

Ryan further teaches folding the mail pieces (see Col. 6 lines 45-47); inserting the mail pieces into an envelope (see Col. 6 lines 52-54); and printing the calculated postage on each envelope (see Col. 7 lines 1-4).

7. As per Claim 15, Ryan teaches the method of claim 11 as described above.

Ryan further teaches printing other information on one or more of the mail pieces in addition to the postage value for that piece (see Col. 7 lines 29-34).

8. As per Claim 16, Ryan teaches the method of claim 11 as described above.

Ryan further teaches wherein the other information includes one or more items selected from the group consisting of: marketing information; address information; and an envelope border (see Col. 7 lines 29-34).

9. As per Claim 18, Ryan teaches the method of claim 11 as described above.

Ryan further teaches printing documents to be included in each mail piece prior to folding the mail piece (see Col. 5 lines 65-67).

10. As per Claim 19, Ryan teaches means for receiving processing instructions that identify how each mail piece should be processed (see Col. 4 lines 17-28); means for controlling the components of a high-speed processing system in accordance with the processing instructions (see Col. 4 lines 13-28); means for calculating a postage value for each mail piece (see Col. 7 lines 12-14); and a printer for printing the calculated postage value on each mail piece (see Col. 7 lines 1-4).

***Claim Rejections - 35 USC § 103***

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 1-2 and 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Freeman et al. U.S. Patent No. 6,041,569 in view of Chang et al. U.S. Patent No. 5,612,888.

13. As per Claim 1, Freeman teaches a postage computing device for calculating the postage value due for each mail piece (see Col. 6 lines 49-54); a postage application printer positioned to print postage information on the mail pieces that are being moved by the conveyor system (see Col. 7 lines 24-27 and 57-62); Freeman does not explicitly teach a computer processing system for storing information related to the processing of each mail piece and for providing the controller with the processing information. Chang teaches a computer processing system for storing information related to the processing of each mail piece and for providing the controller with the processing information (see Col. 2 lines 38-46; Col. 31 lines 9-14 and 47-49). It would have been *prima facie* obvious to one of ordinary skill in the art at the time of invention to modify the system of Freeman to include the teachings of Chang in order to track the processing order of a mailpiece, as taught in Chang Col. 3 lines 9-12.

14. As per Claim 2, Freeman in view of Chang teaches the system of claim 1 as described above. Freeman does not explicitly teach a quality control unit for monitoring

the postage value calculated by the postage computing device. Chang teaches a quality control unit for monitoring the postage value calculated by the postage computing device (see Col. 3 lines 10-14). It would have been prima facie obvious to one of ordinary skill in the art at the time of invention to modify the system of Freeman to include the teachings of Chang in order to maintain integrity in the event of a fault, as taught in Chang Col. 3 lines 10-14.

15. As per Claim 5, Freeman in view of Chang teaches the system of claim 1 as described above. Freeman does not explicitly teach wherein the controller and the computer processing system are the same device. Chang teaches the controller and the computer processing system are the same device (see Col. 2 lines 38-43 and Col. 3 lines 10-14). It would have been prima facie obvious to one of ordinary skill in the art at the time of invention to modify the system of Freeman to include the teachings of Chang in order to enable a flexible architecture, as taught in Chang Col. 3 lines 5-7.

16. As per Claim 6, Freeman in view of Chang teaches the system of claim 1 as described above. Freeman does not explicitly teach wherein the controller, the computer processing system and the postage computing device are the same device. Chang teaches wherein the controller, the computer processing system and the postage computing device are the same device (see Col. 2 lines 38-43). It would have been prima facie obvious to one of ordinary skill in the art at the time of invention to modify the system of Freeman to include the teachings of Chang in order to enable a flexible architecture, as taught in Chang Col. 3 lines 5-7.

17. As per Claim 7, Freeman in view of Chang teaches the system of claim 1 as described above. Freeman further teaches wherein the postage application printer is a high-speed ink jet printer (see Col. 7 lines 57-62).

18. Claims 3-4 and 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Freeman et al. U.S. Patent No. 6,041,569 in view of Chang et al. U.S. Patent No. 5,612,888 in further view of Ryan, Jr. U.S. Patent No. 6,173,274 B1.

19. As per Claim 3, Freeman in view of Chang teaches the system of claim 1 as described above. Freeman does not explicitly teach a mail piece printer for printing documents that will be combined into the mail pieces. Ryan teaches a mail piece printer for printing documents that will be combined into the mail pieces (see Col. 5 lines 23-30). It would have been prima facie obvious to one of ordinary skill in the art at the time of invention to modify the systems of Freeman and Chang to include the teachings of Ryan to produce high volume mail-pieces, as taught in Ryan Col. 5 lines 31-35.

20. As per Claim 4, Freeman in view of Chang teaches the system of claim 1 as described above. Freeman does not explicitly teach wherein the mail processing components include a folder and an inserter. Ryan teaches the mail processing components include a folder and an inserter (see Col. 5 lines 20-21 and Col. 6 lines 45-52). It would have been prima facie obvious to one of ordinary skill in the art at the time of invention to modify the systems of Freeman and Chang to include the teachings of Ryan to produce customized documents corresponding to an individual customer account.

21. As per Claim 9, Freeman in view of Chang teaches the system of claim 1 as described above. Freeman does not explicitly teach wherein the postage application prints other information on one or more of the mail pieces in addition to the postage information. Ryan teaches the postage application prints other information on one or more of the mail pieces in addition to the postage information (see Col. 7 lines 29-34). It would have been prima facie obvious to one of ordinary skill in the art at the time of invention to modify the systems of Freeman and Chang to include the teachings of Ryan to allow address information to be included for mailpiece delivery.

22. As per Claim 10, Freeman in view of Chang in further view of Ryan teaches the system of claim 1 as described above. Freeman does not explicitly teach wherein the additional information includes one or more items selected from the group consisting of: marketing information; address information; and an envelope border. Ryan teaches wherein the additional information includes one or more items selected from the group consisting of: marketing information; address information; and an envelope border (see Col. 7 lines 29-34). It would have been prima facie obvious to one of ordinary skill in the art at the time of invention to modify the systems of Freeman and Chang to include the teachings of Ryan to allow address information to be included for mailpiece delivery.

23. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Freeman et al. U.S. Patent No. 6,041,569 in view of Chang et al. U.S. Patent No. 5,612,888 in further view of Official Notice.

24. As per Claim 8, Freeman in view of Chang teaches the system of claim 1 as described above. Freeman does not explicitly teach wherein the postage information

Art Unit: 3628

printed by the postage application printer prints is Information-Based Indicia (IBI).

Official Notice is taken that postage information printed by the postage application printer prints is Information-Based Indicia (IBI) is old a well known in the art of postage. It would have been *prima facie* obvious to one of ordinary skill in the art at the time of invention to modify the system of Freeman to include the teachings of Official to allow compatibility with postage systems.

25. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ryan, Jr. U.S. Patent No. 6,173,274 B1 in view of Chang et al. U.S. Patent No. 5,612,888.

26. As per Claim 17, Ryan teaches the method of Claim 11 as described above. Ryan does not explicitly teach, performing a quality control analysis on one or more of the calculated postage values. Chang teaches performing a quality control analysis on one or more of the calculated postage values (see Col. 3 lines 10-14). It would have been *prima facie* obvious to one of ordinary skill in the art at the time of invention to modify the system of Freeman to include the teachings of Chang in order to maintain integrity in the event of a fault, as taught in Chang Col. 3 lines 10-14.

27. Claims 13 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ryan, Jr. U.S. Patent No. 6,173,274 B1 in view of Official Notice.

28. As per Claim 13, Ryan teaches the method of claim 11 as described above. Ryan does not explicitly teach wherein a weight of each mail piece varies depending upon the number of pages included in each mail piece; and wherein the postage value for each mail piece is calculated based upon the number of pages included for that mail piece. Official Notice is taken that a weight of each mail piece varies depending upon

Art Unit: 3628

the number of pages included in each mail piece; and wherein the postage value for each mail piece is calculated based upon the number of pages included for that mail piece. It would have been prima facie obvious to one of ordinary skill in the art at the time of invention to modify the method of Ryan to include the teachings of Official Notice in order to determine the amount of postage required for the mailing of an envelope.

29. As per Claim 20, Ryan teaches the method of claim 19 as described above. Ryan further does not explicitly teach wherein the printer is a high-speed printer that is capable of printing the postage value at any position or orientation on the mail pieces. Official Notice is taken that the printer is a high-speed printer that is capable of printing the postage value at any position or orientation on the mail pieces is old and well known. It would have been prima facie obvious to one of ordinary skill in the art at the time of invention to modify the method of Ryan to include the teachings of Official Notice in order to speed up processing times.

30. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ryan, Jr. U.S. Patent No. 6,173,274 B1 in view of Manduley et al. U.S. Patent No. 5,079,714.

31. As per Claim 14, Ryan teaches the method of claim 11 as described above. Ryan does not explicitly teach wherein the postage value is calculated without weighing the mail pieces. Manduley teaches wherein the postage value is calculated without weighing the mail pieces (see Col. 8 lines 39-44). It would have been prima facie obvious to one of ordinary skill in the art at the time of invention to modify the method of Ryan to include the teachings of Manduley in order to utilize a computer which

maintains a database and inserts of their weights, as taught in Manduley Col. 8 lines 40-44.

32. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ryan, Jr. U.S. Patent No. 6,173,274 B1 in view of Harman et al. U.S. patent No. 5,684,706 A.

33. As per Claim 21, Ryan teaches the method of claim 19 as described above. Ryan further does not explicitly teach wherein the printer prints a unique postage value that has been individually calculated for each mail piece based upon the number of documents included in that mail piece. Harman teaches the printer prints a unique postage value that has been individually calculated for each mail piece based upon the number of documents included in that mail piece (see Col. 12 lines 35-43). It would have been *prima facie* obvious to one of ordinary skill in the art at the time of invention to modify the method of Ryan to include the teachings of Harman in order to determine postage values for mail-pieces, as taught in Harman Col. 5 lines 54-60

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tonya Joseph whose telephone number is 571-270-1361. The examiner can normally be reached on Mon-Fri 7:30am-5:00pm First Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Hayes can be reached on 571 272 0847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Tonya Joseph  
Examiner  
Art Unit 3628



THOMAS A. DIXON  
PRIMARY EXAMINER